

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MAKSIM KUPRIN,

Plaintiff,

v.

DOORDASH INC.,

Defendant.

CASE NO. 3:25-cv-05496-JHC

ORDER

This matter comes before the Court on Plaintiff's motion for default judgment. Dkt. # 14. The Court has considered the motion, the rest of the file, and the governing law. For the reasons below, the Court DENIES the motion without prejudice.

If a defendant fails to plead or otherwise defend, the clerk enters the party's default. Fed. R. Civ. P. 55(a). Then, upon a plaintiff's request or motion, the court may grant default judgment for the plaintiff. Fed. R. Civ. P. 55(b)(2); *see Aldabe v. Aldabe*, 616 F.2d 1089, 1092 (9th Cir. 1980). On default judgment motions, "[t]he court must accept all well-pled allegations of the complaint as established fact, except allegations related to the amount of damages." *UN4 Prods., Inc. v. Primozich*, 372 F. Supp. 3d 1129, 1133 (W.D. Wash. 2019) (citing *TeleVideo Sys.,*


1 *Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987)). Critical here, courts typically consider
2 these “*Eitel* factors” when evaluating a request for a default judgment:

3 (1) the possibility of prejudice to the plaintiff, (2) the merits of plaintiff’s
4 substantive claim, (3) the sufficiency of the complaint, (4) the sum of money at
5 stake in the action; (5) the possibility of a dispute concerning material facts; (6)
whether the default was due to excusable neglect, and (7) the strong policy
underlying the Federal Rules of Civil Procedure favoring decisions on the merits.

6 *Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986). “[D]efault judgment is appropriate
7 only if the well-pleaded factual allegations of the complaint suffice to establish a plaintiff’s
8 entitlement to a judgment under the applicable law.” *Dentist Ins. Co. v. Luke St. Marie Valley*
9 *Dental Grp., P.L.L.C.*, No. 2:21-cv-01229-JHC, 2022 WL 1984124 (W.D. Wash. Jun. 6, 2022)
10 (citing *DIRECTV, Inc. v. Hoa Huynh*, 503 F.3d 847, 855 (9th Cir. 2007)).

11 Because the motion does not address the *Eitel* factors, the Court DENIES it without
12 prejudice. Plaintiff may file a motion for default judgment that applies the *Eitel* factors on or
13 before September 15, 2025. The Court is allowing this much time because Plaintiff is self-
14 represented.

15 Dated this 13th day of August, 2025.

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17 John H. Chun
18 United States District Judge
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